

## Message Text

UNCLASSIFIED

PAGE 01 TAIPEI 04480 130508Z  
ACTION STR-07

INFO OCT-01 EA-12 IO-14 ISO-00 STRE-00 AGRE-00 CEA-01  
CIAE-00 COME-00 DODE-00 EB-08 FRB-01 H-02 INR-10  
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-02 CTME-00  
AID-05 SS-15 ITC-01 TRSE-00 ICA-20 SP-02 SOE-02  
OMB-01 DOE-15 /136 W  
-----119217 140738Z /14

R 130501Z JUL 78  
FM AMEMBASSY TAIPEI  
TO SECSTATE WASHDC 8104  
INFO USMISSION GENEVA

UNCLAS TAIPEI 04480

DEPARTMENT PLEASE PASS OSTR/CONSUL GENERAL'S OFFICER  
GENEVA FOR MTN DELEGATION

E.O. 11652: N/A  
TAGS: ETRD, GATT, TW  
SUBJECT: COMMERCIAL COUNTERFEITING

REF: STATE 167575

1. CONTENTS OF REFTEL WERE CONVEYED TO THE MINISTER OF  
INTERIOR BY THE ECONOMIC/COMMERCIAL COUNSELOR IN A LETTER.  
THE MOI NOW HAS THE MATTER UNDER CONSIDERATION. POST  
WILL INFORM WASHINGTON WHEN AN ANSWER HAS BEEN RECEIVED.

2. ARTICLE 253 OF ROC CRIMINAL LAW CURRENTLY QUOTED AS  
LEGAL BASIS BY GROU TO PROSECUTE CASES OF COMMERCIAL  
COUNTERFEITING READS "A PERSON WHO WITH INTENT TO DEFRAUD  
ANOTHER COUNTERFEITS OR IMITATES A REGISTERED TRADEMARK  
OR FIRM NAME SHALL BE PUNISHED WITH IMPRISONMENT FOR NOT  
MORE THAN THREE YEARS OF DETENTION, IN LIEU THEREOF, OR  
IN ADDITION THERETO, A FINE OF NOT MORE THAN 3,000 SILVER  
DOLLARS (3 NT DOLLARS 1 SILVER DOLLAR) SHALL BE  
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IMPOSED." IN FACT, IT DOES NOT "DETER" COUNTERFEITING  
OFFENSES TO A GREAT EXTENT. IN LIGHT OF THIS, THE  
MINISTRY OF ECONOMIC AFFAIRS (MOEA) WILL SOON PROMULGATE  
A REVISION OF FOREGOING LAW. THE REVISION CALLS FOR  
HEAVIER PENALTY BY IMPOSING IMPRISONMENT FOR NOT MORE  
THAN SIX YEARS WITH NO POSSIBILITY OF SUBSTITUTING A FINE.

3. IN ADDITION, BOARD OF FOREIGN TRADE WILL ISSUE AN ADMINISTRATIVE ORDER SHORTLY TO PUNISH EXPORTERS WHO COUNTERFEIT FOREIGN BRAND MERCHANDISE BY CANCELLING THE FIRM'S EXPORT LICENSE AND SUSPENDING FOR TWO YEARS EXIT PERMITS FOR THE FIRM'S EXECUTIVES. ALSO, A DECISION WAS MADE IN A RECENT MOEA MEETING TO STIPULATE NEW ADMINISTRATIVE MEASURES THAT ANY FIRM OR FACTORY ENGAGED IN COUNTERFEITING FOREIGN BRAND MERCHANDISE WOULD BE LIABLE TO CANCELLATION OF ITS BUSINESS LICENSE AND BARRED FROM THE LOCAL MARKET. UNGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** POLICIES, PENAL SYSTEM, COUNTERFEITING, CRIMINAL LAW  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 13 jul 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 jan 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978TAIPEI04480  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780288-0892  
**Format:** TEL  
**From:** TAIPEI  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** d4229e73-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION STR  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 167575  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 29 mar 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2014102  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** COMMERCIAL COUNTERFEITING  
**TAGS:** ETRD, TW, GATT  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/d4229e73-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014